



CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk
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City Clerk

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA)
CITY OF SAN JOSE)

I, Lee Price, City Clerk & Ex-Officio Clerk of the Council of and for the City of San Jose, in said County of Santa Clara, and State of California, do hereby certify that "**Ordinance No. 28760**", the original copy of which is attached hereto, was passed for publication of title on the **17th day of June, 2010**, was published in accordance with the provisions of the Charter of the City of San Jose, and was given final reading and adopted on the **3rd day of August, 2010**, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA, KALRA,
LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.

VACANT: NONE.

Said ordinance is effective as of **3rd day of September, 2010**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San José, this **9th day of August, 2010**.

(SEAL)

LEE PRICE, MMC
CITY CLERK & EX-OFFICIO
CLERK OF THE CITY COUNCIL

/rmk

ORDINANCE NO. 28760

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING
SECTION 9.10.2470 OF CHAPTER 9.10 OF TITLE 9 OF
THE SAN JOSE MUNICIPAL CODE TO ALLOW THE
CONSTRUCTION DEMOLITION DEBRIS PROGRAM
DIVERSION DEPOSITS THAT ARE NO LONGER
ELIGIBLE FOR REFUND TO BE TRANSFERRED TO THE
GENERAL FUND**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. Section 9.10.2470 of Chapter 9.10 of Title 9 of the San José Municipal Code is amended to read as follows:

9.10.2470 Use of Diversion Deposits

- A. Moneys received by the City as diversion deposits shall be used only for payment of diversion deposit refunds except as provided in subsection B.
- B. Diversion deposits that are no longer eligible for a refund under Section 9.10.2440 may be used for any of the following purposes:
 - 1. Cost of administration of the program established by this Part;
 - 2. Cost of programs that divert from landfill disposal the waste from construction, demolition and alteration projects;
 - 3. Cost of programs that develop or improve the infrastructure needed to divert from landfill disposal the waste from construction, demolition and alteration projects; or

4. Transfer to the general fund.

SECTION 2. Section 9.10.2470 shall be effective retroactive to July 1, 2010.

PASSED FOR PUBLICATION of title this 17th day of June, 2010, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



LEE PRICE, MMC
City Clerk